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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,246	08/28/2003	Frank Athari	IR-2311 (2-3643)	7190
2352	7590	05/23/2006	EXAMINER	
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			RUTLAND WALLIS, MICHAEL	
			ART UNIT	PAPER NUMBER
			2835	
DATE MAILED: 05/23/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

14A

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/650,246	ATHARI, FRANK	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael Rutland-Wallis	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to:
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

With respect to applicants amendment to specification the previous objection is hereby withdrawn.

With respect to applicants amendment to drawings the previous objection is hereby withdrawn.

Applicant's arguments, filed March 27, 2006 with respect to the rejection(s) of claims 1-9 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground of rejection is made below.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pelly (U.S. Pat. No. 6,690,230) in view of Higaki (U.S. Pat. No. 5,111,373)

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With respect to claims 1 and 7-8 Pelly teaches a circuit arrangement providing an active EMI filter (item 11) having an input and an output, the input of the active EMI filter connected to receive an output voltage and the output of the active EMI filter providing a filtered output voltage. Pelly teaches AC power supply connection (Fig. 2) to provide an output voltage connected to the active EMI filter, however Pelly does not teach the power transistor switching stage such as the switch mode power supply or buck converter as claimed by the limitation power transistor switching stage. Higaki teaches a typical SMPS (switch mode power supply) wherein the output stage is connected to a passive EMI filter (item 7) to reduce noise or EMI transmission to the load. It would have been obvious to one of ordinary skill in the art at the time of the invention to connect the SMPS to the active EMI filter of Pelly in order to provide a low noise and/or reduce the common mode current in the circuit.

With respect to claim 2 Higaki teaches a SMPS which comprises an output stage comprising an inductor (item 71) and a capacitor (item 72) with the output voltage provided across the capacitor.

With respect to claim 3 Pelly teaches active EMI filter comprises an amplifier stage (item 16) having two transistors (item Q1 and Q2) each controlled by a current sensor (item 15), the current sensor sensing the presence of a common mode current to a load connected to the active EMI filter, said two transistors having a common connection coupled to an isolating capacitor (item C item 14) coupled to a ground line (item GND Fig. 2), the isolating capacitor passing a current to cancel the common mode current in said ground line.

With respect to claim 4 Pelly teaches the two transistors are complementary (see Fig. 2).

With respect to claim 5 Pelly teaches the ground line connects the load and the power transistor switching stage.

With respect to claim 6 Pelly teaches the use of rectification circuitry item 10 in figure 1 may provide a DC voltage to the active EMI filter.

With respect to claim 9 Higaki teaches a switch mode power supply which contains a converter item 6

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Takaashi et al. (U.S. Pat. No. 6,839,250) teaches a similar device to that of the claimed invention and Yin Ho et al. (U.S. Pub. No. 20040130923) teaches a similar device to that of claims 1 and 3.

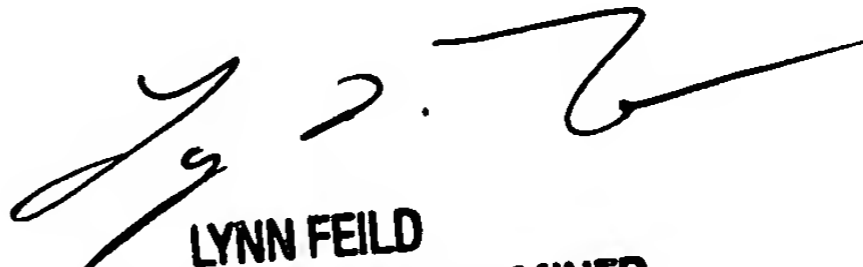
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Rutland-Wallis whose telephone number is 571-272-5921. The examiner can normally be reached on Monday-Thursday 7:30AM-6:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MRW



LYNN FEILD  
SUPERVISORY PATENT EXAMINER  
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